

Pages 1 - 11

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable William H. Alsup, Judge

SONOS, INC.,)	
)	
Plaintiff and)	
Counter-Defendant,)	
)	
VS.)	NO. C 20-6754 WHA
)	Related Case No. C 21-07559 WHA
GOOGLE, LLC,)	
)	
Defendant and)	
Counter-Claimant.)	
_____)	

San Francisco, California

MASTER INDEX

APPEARANCES:

For Plaintiff/Counter-Defendant:

ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
405 Howard Street
San Francisco, California 94105
BY: CLEMENT S. ROBERTS, ATTORNEY AT LAW
ELIZABETH R. MOULTON, ATTORNEY AT LAW

ORRICK, HERRINGTON & SUTCLIFFE LLP
777 South Figueroa Street, Suite 3200
Los Angeles, California 90017
BY: ALYSSA M. CARIDIS, ATTORNEY AT LAW
GEOFFREY G. MOSS, ATTORNEY AT LAW

(APPEARANCES CONTINUED ON FOLLOWING PAGE)

REPORTED BY: Marla F. Knox, CSR No. 14421, RPR, CRR, RMR
United States District Court - Official Reporter

APPEARANCES: (CONTINUED)

For Plaintiff/Counter-Defendant:

LEE SULLIVAN SHEA & SMITH LLP
656 West Randolph Street
Floor 5W
Chicago, Illinois 60661

BY: DAVID R. GROSBY, ATTORNEY AT LAW
SEAN M. SULLIVAN, ATTORNEY AT LAW
COLE B. RICHTER, ATTORNEY AT LAW
JOHN DAN SMITH, III, ATTORNEY AT LAW

ORRICK, HERRINGTON & SUTCLIFFE LLP
51 West 52nd Street
New York, New York 10019

BY: JOSEPH R. KOLKER, ATTORNEY AT LAW

For Defendant/Counter-Claimant:

QUINN, EMANUEL, URQUHART & SULLIVAN LLP
50 California Street, 22nd Floor
San Francisco, California 94111

BY: SEAN PAK, ATTORNEY AT LAW
MELISSA J. BAILY, ATTORNEY AT LAW
JAMES D. JUDAH, ATTORNEY AT LAW
LINDSAY COOPER, ATTORNEY AT LAW
IMAN LORDGOOEI, ATTORNEY AT LAW
JASON C. WILLIAMS, ATTORNEY AT LAW

Also Present:

Kevin MacKay, Google Representative
Alaina Kwasizur, Sonos Representative

I N D E X

Thursday, May 4, 2023 - Volume 1

Monday, May 8, 2023 - Volume 2

Tuesday, May 9, 2023 - Volume 3

Wednesday, May 10, 2023 - Volume 4

Thursday, May 11, 2023 - Volume 5

Friday, May 12, 2023 - Volume 6

Tuesday, May 16, 2023 - Volume 7

Wednesday, May 17, 2023 - Volume 8

Wednesday, May 18, 2023 - Volume 9

Friday, May 19, 2023 - Volume 10

Wednesday, May 24, 2023 - Volume 11

Friday, May 26, 2023 - Volume 12

PAGE VOL.

Jury Voir Dire	23	1
Jury Instructions	206	2
Opening Statement by Mr. Sullivan	212	2
Opening Statement by Mr. Pak	228	2
Opening Statement by Mr. Pak	645	4
Opening Statement by Mr. Sullivan	648	4
Plaintiff Rests	1237	7
Defendant Rests	1623	8
Plaintiff and Defendant Rests Rebuttal Case	1726	9
Charging Conference	1769	10
Jury Instructions	1801	10
Closing Argument by Mr. Sullivan	1810	10
Closing Argument by Mr. Pak	1851	10
Rebuttal Argument by Mr. Sullivan	1892	10
Rebuttal Argument by Mr. Pak	1900	10
Final Jury Instructions	1911	10
Hearing re Rule 50	1952	11
Jury Question 1	2039	12
Jury Question 2	2041	12
Jury Question 3	2047	12
Verdict	2051	12

PLAINTIFF'S WITNESSES**PAGE** **VOL.****MILLINGTON, NICHOLAS**

(SWORN)

257 2

Direct Examination by Mr. Sullivan

259 2

Cross-Examination by Mr. Lordgooei

322 2

NICHOLAS, MILLINGTON (RECALLED)

(PREVIOUSLY SWORN)

400 3

Cross-Examination resumed by Mr. Lordgooei

400 3

LAMBOURNE, ROBERT

(SWORN)

414 3

Direct Examination by Ms. Caridis

414 3

Cross-Examination by Mr. Pak

480 3

LAMBOURNE, ROBERT (RECALLED)

(PREVIOUSLY SWORN)

608 4

Cross-Examination resumed by Mr. Pak

608 4

Redirect Examination by Ms. Caridis

612 4

Recross-Examination by Mr. Pak

628 4

SHEKEL, TOMER

By Videotaped Deposition (not reported)

659 4

PEDRO, JUSTIN

By Videotaped Deposition (not reported)

660 4

KENNETH, MACKAY

By Videotaped Deposition (not reported)

663 4

MACKAY, KENNETH

By Videotaped Deposition (not reported)

672 4

MACKAY, KENNETH

By Videotaped Deposition (not reported)

677 4

ALMEROTH, KEVIN

(SWORN)

678 4

Direct Examination by Mr. Shea

679 4

ALMEROTH, KEVIN (RECALLED)

(PREVIOUSLY SWORN)

765 5

Direct Examination resumed by Mr. Shea

766 5

Cross-Examination by Mr. Pak

845 5

Redirect Examination by Mr. Shea

932 5

I N D E X**PLAINTIFF'S WITNESSES****PAGE VOL.****ALMEROTH, KEVIN (RECALLED)**

(PREVIOUSLY SWORN)

987 6

Recross-Examination by Mr. Pak

988 6

KOWALSKI, TIMOTHY

By Video Deposition (not reported)

1008 6

KWASIZUR, ALAINA

(SWORN)

1009 6

Direct Examination by Mr. Richter

1010 6

Cross-Examination by Ms. Baily

1061 6

Redirect Examination by Mr. Richter

1079 6

Recross-Examination by Ms. Baily

1083 6

MALACKOWSKI, JAMES EDWARD

(SWORN)

1086 6

Direct Examination by Ms. Caridis

1087 6

Cross-Examination by Ms. Baily

1146 6

MALACKOWSKI, JAMES (RECALLED)

(PREVIOUSLY SWORN)

1210 7

Cross-Examination resumed by Ms. Baily

1210 7

Redirect Examination by Ms. Caridis

1217 7

Recross-Examination by Ms. Baily

1231 7

CHAN, CHRISTOPHER

By Video Deposition (not reported)

1236 7

ALMEROTH, KEVIN (RECALLED IN REBUTTAL)

(PREVIOUSLY SWORN)

1649 9

Direct Examination by Mr. Shea

1650 9

Cross-Examination by Mr. Pak

1690 9

Redirect Examination by Mr. Shea

1708 9

Recross-Examination by Mr. Pak

1714 9

Further Redirect Examination by Mr. Shea

1717 9

DEFENDANT'S WITNESSES**PAGE VOL.****MACKAY, KENNETH JOHN**

(SWORN)

1241 7

Direct Examination by Mr. Pak

1242 7

Cross-Examination by Mr. Smith

1283 7

Redirect Examination by Mr. Pak

1296 7

I N D E X**DEFENDANT'S WITNESSES****PAGE VOL.**

Recross-Examination by Mr. Smith

1301 7

MACLELLAN, TAVIS ALEXANDER

(SWORN)

1303 7

Direct Examination by Mr. Williams

1303 7

Cross-Examination by Mr. Moss

1313 7

PEDRO, JUSTIN MANUEL

(SWORN)

1314 7

Direct Examination by Mr. Lordgooei

1314 7

Cross-Examination by Mr. Grosby

1327 7

SCHONFELD, DAN

(SWORN)

1329 7

Direct Examination by Mr. Pak

1329 7

SCHONFELD, DAN (RECALLED)

(PREVIOUSLY SWORN)

1423 8

Direct Examination resumed by Mr. Pak

1425 8

Cross-Examination by Mr. Roberts

1468 8

Redirect Examination by Mr. Pak

1509 8

Recross-Examination by Mr. Roberts

1518 8

CHAN, CHRISTOPHER

(SWORN)

1520 8

Direct Examination by Ms. Baily

1521 8

Cross-Examination by Mr. Richter

1533 8

BAKEWELL, WILLIAM CHRISTOPHER

(SWORN)

1549 8

Direct Examination by Ms. Baily

1550 8

Cross-Examination by Ms. Caridis

1585 8

Redirect Examination by Ms. Baily

1616 8

SCHONFELD, DAN (RECALLED IN REBUTTAL)

(PREVIOUSLY SWORN)

1721 9

Direct Examination by Mr. Pak

1721 9

Cross-Examination by Mr. Shea

1724 9

I N D E XE X H I B I T STRIAL EXHIBITSIDENEVIDVOL.

1			
2			
3			
4	1	766	5
5	3	766	5
6	4	876	5
7	6	886	5
8	006	1505	8
9	TX36	675	4
10	TX38	675	4
11	TX41	675	4
12	TX43	675	4
13	TX44	675	4
14	TX45	676	4
15	TX48	676	4
16	TX62	661	4
17	62	327	2
18	63	328	2
19	TX78	662	4
20	TX81	662	4
21	TX82	662	4
22	TX84	662	4
23	PX100	286	2
24	115	832	5
25			

I N D E XE X H I B I T STRIAL EXHIBITSIDENEVIDVOL.

TX120

450

3

TX125

659

4

128

1236

7

130

1237

7

138

1237

7

139

1237

7

140

1530

8

TX155

677

4

TX156

677

4

158

1606

8

TX308

281

2

TX344

310

2

347

372

2

TX359

315

2

TX440

708

4

441

785

5

442

834

5

TX458

317

2

TX459

319

2

TX464

711

4

TX466

706

4

I N D E XE X H I B I T STRIAL EXHIBITSIDENEVIDVOL.

TX467	320	2
TX468	319	2
TX2424	560	3
2425	1711	9
TX2425	558	3
2426	1350	7
2508	1454	8
2625	1466	8
2651	1715	9
2673	1508	8
2674	1507	8
2676	1502	8
TX2831	568	3
3007	1456	8
3509	1523	8
3698	1436	8
3786	1526	8
3787	1524	8
3808	1453	8
TX3840	284	2
3923	1392	7

I N D E XE X H I B I T STRIAL EXHIBITSIDENEVIDVOL.

3928	1638	9
TX3930	544	3
TX3937	570	3
TX3941	554	3
6000	1358	7
6016	1217	7
6130 as amended	1037	6
6136 as amended	1051	6
6292	842	5
6353	1540	8
6453	794	5
6454	1247	7
6513	1447	8
TX6539	446	3
TX6544	469	3
TX6545	465	3
TX6609	564	3
6612	841	5
6631	1027	6
6632	1023	6
6698	767	5

I N D E XE X H I B I T STRIAL EXHIBITSIDENEVIDVOL.

6721		1021	6
TX6730		295	2
TX6780		479	3
6787		1713	9
6788		1689	9
TX6795		272	2
6958		1685	9
TX6973		419	3
TX6974		292	2
TX6979		289	2
TX6982		270	2
TX6991		425	3
TX7200		265	2
TX7214		298	2
TX8236		441	3
8237		304	2
TX8238		305	2
TX8239		477	3
8240		1008	6